

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

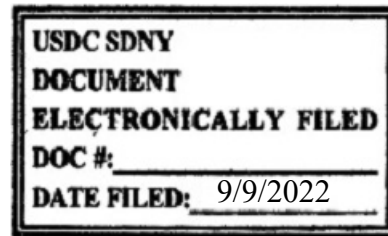
SAUL SABINO,

Plaintiff,

-against-

PORT AUTHORITY POLICE
DEPARTMENT, et al.,

Defendants.



21-CV-05731 (JGK) (BCM)

ORDER

BARBARA MOSES, United States Magistrate Judge.

The Court has received and reviewed defendants' proposed judicial subpoena (Dkt. 77), which directs Bellevue Hospital to produce "[a]ll non-sensitive portions of Plaintiff Saul Sabino's medical records and radiology films from Plaintiff's treatment at Bellevue Hospital (Bellevue) beginning on August 10, 2020." The term "non-sensitive" is nowhere defined in the proposed subpoena and is not obvious to the Court. To the extent defendants' intent is that Bellevue redact from its records any discussion of the categories that plaintiff excluded from his HIPAA authorization ("Alcohol/Drug Treatment," "Mental Health Information," and "HIV-Related Information," *see* Dkt. 77-1 at ECF p. 4), the subpoena should so state. And if the subpoena requests redacted records, the appended certifications should so reflect (rather than requiring Bellevue to certify that it has annexed "exact copies" of its records, with no qualification, *see id.* at ECF p. 6).

The Court further notes that defendants have not filed any sworn proof of service of their request for a judicial subpoena, as required.

The Court will address these issues at the conference now scheduled for **September 19, 2022**. In anticipation of that conference, the Court will issue an appropriate order to the Superintendent of the Anna M. Kross Correctional Facility.

Dated: New York, New York
September 9, 2022

SO ORDERED.

A handwritten signature in blue ink, appearing to read "Barbara Moses".

BARBARA MOSES
United States Magistrate Judge